

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>LISA BROWN, M.D.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 05-32 E</b>
	)	
<b>HAMOT MEDICAL CENTER,</b>	)	
	)	
<b>Defendant.</b>	)	

**JOINT MOTION TO EXTEND DEADLINES AND STAY PROCEEDINGS; AND JOINT  
REQUEST FOR COURT-ORDERED MEDIATION BEFORE A MAGISTRATE JUDGE**

The parties hereby move the Court for an additional extension of the discovery and motions deadlines and hereby respectfully request that this Court stay further proceedings and order a mediation to be conducted by a magistrate judge of the Pittsburgh branch of the United States District Court for the Western District of Pennsylvania. In support of this motion, the parties state the following:

1. This is an action for employment discrimination and for breach of contract.
2. The parties have been conscientiously working to finalize all discovery, but schedules of third parties have had to be accommodated. The parties require one additional extension of the discovery deadline through April 21, 2006 to allow for the completion of one final deposition by plaintiff.
3. In addition, following completion of this deposition, the parties believe it would be beneficial to participate in a court-ordered mediation before a magistrate judge of the Pittsburgh branch of the United States District Court for the Western District of Pennsylvania. The parties request a Pittsburgh-based magistrate judge because they are aware that Erie-based Magistrate Judge Baxter may have a conflict in this matter. Specifically, Hamot executive Don

Inderlied attends the same church and maintains a family friendship with Judge Baxter and her husband. To assure both parties of the fairness of any mediation, both parties have agreed to travel to Pittsburgh for this purpose. The parties are willing to discuss the selection of a particular magistrate judge and submit their selection for consideration by the Court.

4. The parties are hopeful that this mediation will facilitate settlement and believe it would be most productive to conduct mediation prior to either party incurring the cost of preparing or opposing motions for summary judgment in this matter.

5. Due to the press of other business, the parties and/or their counsel will be unavailable to attend mediation until after May 15, 2006.

6. To accommodate the parties schedules, and to allow the parties to devote themselves to the mediation process, the parties agree to and request a stay of proceedings pending the outcome of mediation.

7. If mediation is unsuccessful, the parties agree to and request that the deadline for filing dispositive motions be extended to a date forty-five (45) days following completion of the mediation. Likewise, the parties request that the remainder of court's scheduling order be amended consistent with this change.

Accordingly, the parties request that the Court grant their Joint Motion to Extend Deadlines and Stay Proceedings, and Joint Request for Court-Ordered Mediation Before a Magistrate Judge. A proposed order is attached.

Respectfully submitted,

Tobin O'Connor Ewing & Richard

/s/ Kerry M. Richard

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